GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:4988
ANSWERED ON:20.12.2000
ROSTER SYSTEM
K.H. MUNIYAPPA

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Supreme Court in case of R.K.Sabharwal Vs. State ofPunjab as well as J.C.Malick Vs.Ministry of Railways has held that `the vacany Based Rosters` can operate onlytill such time the represention of persons belonging of the reserved categories reaches the prescribed percentage of reservation; and

(b) if so, the details of Class I,II, IIIand Class IV category/grade under the Union Governmenta nd Public Sector Undertakings/Autonomous/Attached/Sub-Ordinate Organizations under its controlwhere the representation of persons belonging to the SC/ST categories has reached the prescribed percentage of reservation and because of which `Post Based Roasters` have been introduced in place of `Vacancy Based Roster`?

Answer

MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS` WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SMT. VASUN RAJE)

(a) & (b) : As per the Supreme Court Judgement in R.K. Sabharwal case, reservation has to be with reference to posts and not vacancies. A post based roster is a mechanism to ensure that the reserved categories get their due share of posts upto the prescribed percentages of reservation for the concerned categories in line with the principles enunciated in the aforesaid judgement of the Supreme Court. The Ld. Attorney General has also opined that the post based rosters are consistent with the judgement of the Supreme Court in the aforesaid case and the Government could not have continued the old vacancy based rosters. Post based rosters are required to be maintained by all Ministries/Departments etc.